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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JANET L. SHANNON,

06-CV-6214-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security
Administration,

Defendant.

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BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#18) on July 17, 2007, in which he recommended the Court reverse the Commissioner's decision terminating Plaintiff's receipt of disability insurance benefits and remand this matter for payment of benefits. Defendant filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988); *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982).

This Court has carefully considered Defendant's objections and concludes they do not provide a basis to modify the Findings

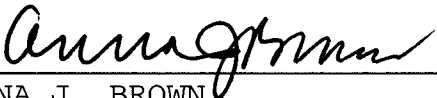
and Recommendation. This Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#18). Accordingly, the Court **REVERSES** the Commissioner's decision and **REMANDS** this matter to the above administrative agency for an award of benefits.

IT IS SO ORDERED.

DATED this 4th day of September, 2007.



ANNA J. BROWN
United States District Judge